

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
SHEET METAL WORKERS' NATIONAL PENSION
FUND; NATIONAL ENERGY MANAGEMENT
INSTITUTE COMMITTEE FOR THE
SHEET METAL AND AIR CONDITIONING
INDUSTRY; SHEET METAL OCCUPATIONAL
HEALTH INSTITUTE TRUST; INTERNATIONAL
TRAINING INSTITUTE FOR THE SHEET METAL
AND AIR CONDITIONING INDUSTRY; AND
NATIONAL STABILIZATION AGREEMENT
OF THE SHEET METAL INDUSTRY FUND,
Plaintiffs,

CIVIL ACTION NO.
07 CV 03530 (HB/DCF)

-AGAINST-

ANSWER

PRECISION TESTING & BALANCING, INC., AND
FRED BROMBERG, as an individual, and
LOUIS BROMBERG, as an individual,
Defendants.

Defendants, by their attorney, Howard M. Katz, Esq.,
answering the complaint, allege as follows:

1. Defendants refer to the original documents referred
to in plaintiff's complaint and designated as paragraphs 6, 7, 8, 9,
and 10.

2. Defendants deny each and every allegation marked as
paragraphs 11 and 12 contained in plaintiffs' complaint.

3. Defendants deny each and every allegation of
plaintiffs' first claim for relief and marked as paragraphs 13 and
14.

4. Defendants deny each and every allegation of
plaintiffs' second claim for relief and marked as paragraph 16.

5. Defendants deny each and every allegation of
plaintiff's third claim for relief and marked as paragraph 18.

6. Defendants deny each and every allegation of
plaintiff's fourth claim for relief and marked as paragraph 20.

7. Defendants deny each and every allegation of plaintiff's fifth claim for relief and marked as paragraph 22.

8. Defendants deny each and every allegation of plaintiff's sixth claim for relief and marked as paragraphs 24 and 25.

9. Defendants deny each and every allegation of plaintiff's seventh claim for relief and marked as paragraphs 27 and 28.

10. Defendants deny each and every allegation of plaintiff's eighth claim for relief and marked as paragraphs 30, 31 and 32.

11. Defendants deny each and every allegation of plaintiff's ninth claim for relief and marked as paragraphs 34, 25 and 36.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

12. Defendant sued herein as Fred Bromberg is an improper party.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

13. Defendant sued herein as Louis Bromberg is an improper party.

WHEREFORE, Defendants' demand judgment dismissing plaintiff's complaint in all respects.

Dated: New York, New York
June 12, 2007

s/ Howard M. Katz

Howard M. Katz
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